



## Open Government Impact Statement

81st Oregon Legislative Assembly  
2021 Regular Session

## Measure: HB 3112

Only impacts on Original or Engrossed  
Versions are Considered Official

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Date: 2/2/2021

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### SUMMARY

Establishes Cannabis Equity Board within office of Governor to provide equity oversight of cannabis industry in this state. Requires board to annually report information about equity in Oregon cannabis industry to interim committee of Legislative Assembly related to cannabis. Establishes equity liaisons in Oregon Health Authority and Oregon Liquor Control Commission. Requires equity liaisons to report to board quarterly on specified information. Establishes Cannabis Equity Fund and continuously appropriates moneys in fund to board for specified purposes.

Directs commission to issue equity license to qualified applicant.

Allows commission to issue cannabis on-premises consumption license, cannabis delivery license, shared processing license or shared processing facility license to applicant who meets qualification criteria for equity license. Allows commission, after January 1, 2032, to issue cannabis on-premises consumption license, cannabis delivery license, shared processing license or shared processing facility license to applicant who does not meet qualification criteria for equity license.

Directs office of public defense services to compile list of certain offenses that involve lawful marijuana activity for purposes of setting aside records of conviction, arrest or charge. Requires office to submit report with list of offenses to Judicial Department, Cannabis Equity Board and interim committees of Legislative Assembly related to judiciary.

Directs Judicial Department and Department of State Police to provide information to office of public defense services concerning persons who may be eligible to have set aside conviction, arrest or charge for marijuana offense. Modifies procedures for setting aside certain marijuana convictions, arrests and charges. Authorizes office of public defense services to file motions for setting aside certain marijuana convictions, arrests and charges.

Limits imposition of supervision conditions related to use of marijuana. Provides that marijuana use may not be basis of parole, probation or post-prison supervision violation except in certain circumstances. Requires entities that maintain records of parole, probation or post-prison supervision violations to review and expunge any records of violations based on specified conduct not later than December 31, 2024.

Requires allocation of moneys in Criminal Fine Account to Cannabis Equity Fund. Requires distribution of moneys from Oregon Marijuana Account to Cannabis Equity Fund. Specifies manner in which authority shall use moneys transferred to authority.

Provides that authority may not charge fee greater than \$20 for registry identification card for individual who served in Armed Forces of United States or who receives certain public assistance or \$60 for any other individual.



Becomes operative on August 22, 2022.

Takes effect on 91st day following adjournment sine die.

**OPEN GOVERNMENT IMPACT**

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure requires a court to seal the record of a set aside arrest, citation or charge and other official records in the case, including the records of the arrest, citation and charge.

If those public records were instead subject to mandatory disclosure under public records law, the public could gain additional information related to arrests, citations and charges that were later set aside.